

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy S. Parker  
Timothy S. Parker

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Steven W. Dow, et al.

Application No.: 10/772,913

Filed: February 5, 2004

For: SYSTEM IMMUNE ACTIVATION  
METHOD USING NUCLEIC ACID-  
LIPID COMPLEXES

Customer No. 20350

Confirmation No.: 5237

Examiner: WEHBE, Ann Marie Sabrina

Art Unit: 1633

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references BA-BB in compliance with the requirements of 37 CFR §1.98(a)(2) are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, because this submission is prior to the issuance of a first Office Action on the merits.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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61070863

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/772,913
Filing Date	February 5, 2004
First Named Inventor	Dow, Steven W.
Art Unit	1633
Examiner Name	WEHBE, Ann Marie Sabrina
Attorney Docket Number	021819-000120US

Sheet **1** of **2****U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-6,693,086	02/17/2004	Dow, et al.	
	AB	US-			
	AC	US-			
	AD	US-			
	AE	US-			
	AF	US-			
	AG	US-			
	AH	US-			
	AI	US-			
	AJ	US-			
	AK	US-			
	AL	US-			
	AM	US-			
	AN	US-			
	AO	US-			
	AP	US-			
	AQ	US-			
	AR	US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1 <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AS							<input type="checkbox"/>
	AT							<input type="checkbox"/>
	AU							<input type="checkbox"/>
	AV							<input type="checkbox"/>
	AW							<input type="checkbox"/>

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Application Number</b>	10/772,913
				<b>Filing Date</b>	February 5, 2004
				<b>First Named Inventor</b>	Dow, Steven W.
				<b>Art Unit</b>	1633
				<b>Examiner Name</b>	WEHBE, Ann Marie Sabrina
				<b>Attorney Docket Number</b>	021819-000120US
<b>Sheet</b>	2	<b>of</b>	2		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>	
	BA	AUF, Gregor, et al. "Implication of Macrophages in Tumor Rejection Induced by CpG-oligodeoxynucleotides Without Antigen", <i>Clinical Cancer Research</i> (2001) 7:3540-3543	<input type="checkbox"/>	
	BB	VOLLMER, Jörg, et al. "Oligodeoxynucleotides lacking CpG dinucleotides mediate Toll-like receptor 9 dependent T helper type 2 biased immune stimulation", <i>Immunology</i> (2004) 113:212-223	<input type="checkbox"/>	
	BC		<input type="checkbox"/>	
	BD		<input type="checkbox"/>	
	BE		<input type="checkbox"/>	
	BF		<input type="checkbox"/>	
	BG		<input type="checkbox"/>	
	BH		<input type="checkbox"/>	
	BI		<input type="checkbox"/>	
	BJ		<input type="checkbox"/>	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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